

NO. 54

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

WEDNESDAY, APRIL 10, 2019

Wednesday, April 10, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 16:11

“A just weight and balance are the Lord’s; all weights in the bag are his work.”

Let us pray. Almighty God, Your hand is in all creation and it is clear that we are not all created to be equal in the eyes of the world.

But You are a just God whose power over us and through us reaches beyond our perception. Grant to us, O God, discernment to excel in our lane with the talents we have.

May we put aside jealousy and resentment and realize that You have given each of us special gifts to love and be loved according to Your divine plan. May this be the weight and measure by which we live and serve You and the people of South Carolina. In Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Climer	Cromer	Davis
Harpootlian	Hembree	Hutto
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	Peeler
Rice	Sabb	Senn
Setzler	Sheheen	Talley

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Turner

Verdin

Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2019, and to expire May 19, 2026

At-Large :

John F. Camp, 1418 Laurel Street Upstairs, Columbia, SC 29201-2566
VICE Stephen H. Mudge

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

3rd Congressional District:

Karl Derek Wessinger, 1046 Jeremiah Dr., Gray Court, SC 29645-4764 *VICE* Brent Roy Goodson

Referred to the Committee on Agriculture and Natural Resources.

Local Appointment

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator MARTIN, the Privilege of the Chamber, to that area behind the rail, was extended to Mary Della Heatherly, Senator MARTIN'S aunt, in recognition of her public service in the care of the elderly, disabled and vulnerable citizens in Spartanburg County and the state of South Carolina.

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Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator HARPOOTLIAN, the Privilege of the Chamber, to that area behind the rail, was extended to Darla Moore in recognition of the University of South Carolina's Darla Moore School of Business Centennial Anniversary and to congratulate her of the impact the program has on our State.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4842

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140(2), 44-1-150, and 44-1-180

SUBJECT: Retail Food Establishments; and Retail Food Establishment Inspection Fees

Received by Lieutenant Governor January 8, 2019

Referred to Committee on Medical Affairs

Legislative Review Expiration May 8, 2019

Withdrawn and Resubmitted April 10, 2019

Doctor of the Day

Senator NICHOLSON introduced Dr. Robert Tiller of Greenwood, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:07 P.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator M.B. MATTHEWS, at 1:55 P.M., Senator KIMPSON was granted a leave of absence for the day.

Leave of Absence

On motion of Senator MARTIN, at 3:59 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 203 Sens. Shealy and Massey
S. 293 Sen. Verdin
S. 556 Sen. Cash

RECALLED

H. 3819 -- Reps. Gagnon and West: A BILL TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

Senator NICHOLSON asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

The Bill was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3016 -- Reps. Govan, Jefferson, S. Williams and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOFF AVENUE IN THE CITY OF ORANGEBURG FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 "DR. H.N. TISDALE AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4235 -- Rep. Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 1 APPROXIMATELY FOUR MILES OUTSIDE THE TOWN OF MCBEE "SERGEANT DARRYL QUICK MEMORIAL BRIDGE" AND ERECT

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APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

OBJECTION

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

Senator MARTIN objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 749 -- Senator Shealy: A SENATE RESOLUTION TO CELEBRATE THE THIRTY-THIRD ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 9-11, 2019, IN BATESBURG-LEESVILLE, AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.

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The Senate Resolution was adopted.

S. 750 -- Senator Rankin: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE THE PENGUINEERS, THE TEAM THAT SERVED AS CAPTAIN OF THE WINNING ALLIANCE AT THE SOUTH CAROLINA FIRST TECH CHALLENGE STATE CHAMPIONSHIP FOR THE 2018/19 FIRST ROBOTICS SEASON AND ADVANCED TO THE FIRST CHAMPIONSHIP IN HOUSTON, TEXAS.

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The Concurrent Resolution was adopted, ordered sent to the House.

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S. 751 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-295 SO AS TO REQUIRE AN INSURER TO CERTIFY THAT IT REDUCED THE LEVEL OF COST SHARING BY AN AMOUNT EQUAL TO AT LEAST A MAJORITY OF THE REBATES RECEIVED BY THE INSURER.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 752 -- Senators Talley, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE JUDGE JAMES F. FRALEY, JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE SEVENTH JUDICIAL CIRCUIT AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 753 -- Senator Gambrell: A BILL TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO TRANSFER ONE PERCENT OF THE REVENUES TO THE V-SAFE PROGRAM; AND TO TRANSFER CERTAIN FUNDS TO THE V-SAFE PROGRAM.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 754 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-49-35 SO AS TO REQUIRE CERTAIN TRAINING OF THE BOARD OF TRUSTEES OF THE JOHN DE LA HOWE SCHOOL; BY ADDING SECTION 59-49-85 SO AS TO PROVIDE

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QUALIFICATIONS OF THE SCHOOL'S FACULTY; BY ADDING SECTION 59-49-112 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH THE STANDARD COURSE OF STUDY OF THE SCHOOL; BY ADDING SECTION 59-49-115 SO AS TO PROVIDE FOR THE AWARING OF DIPLOMAS; BY ADDING SECTION 59-49-117 SO AS TO PROVIDE ADMISSIONS REQUIREMENTS OF STUDENTS; BY ADDING SECTION 59-49-135 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH A FOUNDATION AND MAINTAIN AN ENDOWMENT FUND FOR THE SCHOOL; BY ADDING SECTION 59-49-160 SO AS TO PROVIDE THE BOARD MAY EMPLOY CAMPUS POLICE, TO PROVIDE QUALIFICATIONS AND OTHER REQUIREMENTS OF THESE CAMPUS POLICE, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN MOTOR VEHICLE LAWS ON CAMPUS, AND TO PROVIDE THE BOARD MAY PROMULGATE CERTAIN RELATED REGULATIONS; TO AMEND SECTION 59-49-10, RELATING TO THE ESTABLISHMENT OF THE JOHN DE LA HOWE SCHOOL, SO AS TO RENAME AND REESTABLISH THE SCHOOL AS THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE, AND TO PROVIDE THE PURPOSE OF THE SCHOOL; TO AMEND SECTION 59-49-20, RELATING TO THE BOARD OF TRUSTEES, SO AS TO ADD CERTAIN EX OFFICIO MEMBERS; TO AMEND SECTION 59-49-30, RELATING TO REMOVAL OF BOARD MEMBERS BY THE GOVERNOR FOR CAUSE, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-40, RELATING TO MEETINGS OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-70, RELATING TO THE DECLARATION OF THE SCHOOL AS A BODY POLITIC, SO AS TO MAKE CONFORMING CHANGES CONCERNING THE RENAMING OF THE SCHOOL; TO AMEND SECTION 59-49-100, RELATING TO THE PURPOSE OF THE SCHOOL, SO AS TO PROVIDE ADDITIONAL ADMISSIONS CRITERIA; TO AMEND SECTION 59-49-110, RELATING TO THE CONDUCT OF FORESTRY AND FARM PRACTICES BY THE SCHOOL AND USE OF REVENUE DERIVED FROM THESE PRACTICES, SO AS TO PROVIDE THE SCHOOL SHALL SERVE AS A DEMONSTRATION FARM AND PROVIDE INSTRUCTION AND SUPPORT TO FARMERS AND PERSONS WORKING IN, OR WHO HAVE AN INTEREST IN, THE BUSINESS OF AGRICULTURE; TO AMEND SECTION 59-49-130, RELATING TO OBSOLETE PROVISIONS CONCERNING THE

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USE OF INCOME DERIVED FROM CERTAIN ENDEAVORS, SO AS TO PROVIDE FOR THE USE OF INCOME DERIVED FROM CERTAIN CURRENT ENDEAVORS OF THE SCHOOL; AND TO AMEND SECTION 59-49-150, RELATING TO EXPENSES OF STUDENTS, SO AS TO PROVIDE STUDENTS WHO ARE LEGAL RESIDENTS OF THIS STATE ARE NOT REQUIRED TO PAY TUITION BUT SHALL PAY CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES UNLESS THEY MEET CERTAIN POVERTY REQUIREMENTS, AND TO PROVIDE ALL OUT-OF-STATE AND FOREIGN EXCHANGE STUDENTS WHO ATTEND THE SCHOOL SHALL PAY TUITION AND CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES.

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Read the first time and referred to the Committee on Education.

S. 755 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE ARTHUR JAMES GAYTON OF COLUMBIA ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 756 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-31-280 SO AS TO COMBINE AND CONSOLIDATE INTO A SINGLE ENTITY THE BOARDS OF COMMISSIONERS OF PUBLIC WORKS AND THE GOVERNING BODIES OF CERTAIN SPECIAL PURPOSE DISTRICTS OR PUBLIC SERVICE DISTRICTS ONLY IN THOSE MUNICIPALITIES THAT HAVE AN ELECTED BOARD OF COMMISSIONERS OF PUBLIC WORKS WHOSE ELECTED MEMBERS SERVE SIMULTANEOUSLY ON THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT THAT PROVIDES SEWERAGE TREATMENT SERVICES TO ALL OR TO A PORTION OF THE SAME SERVICE AREA THAT RECEIVES WATER SERVICE FROM THE MUNICIPALITY, TO PROVIDE FOR THE CONSOLIDATED ENTITY'S POWERS, DUTIES, AND RESPONSIBILITIES, AND TO PROVIDE FOR THE COMPOSITION, ELECTION, AND TERMS OF THE CONSOLIDATED ENTITY'S GOVERNING BOARD OF COMMISSIONERS.

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Read the first time and referred to the Committee on Judiciary.

S. 757 -- Senators Jackson and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 31 SO AS TO PROVIDE FOR CERTAIN HOUSING ATTAINABILITY PROTECTIONS, TO PROVIDE DEFINITIONS, TO PROVIDE THAT A COUNTY OR MUNICIPALITY THAT INTENDS TO ADOPT AN ORDINANCE THAT MAY INCREASE OR DECREASE CERTAIN HOUSING COSTS SHALL PREPARE A HOUSING IMPACT ANALYSIS, TO PROVIDE THAT A STATE AGENCY THAT INTENDS TO PROMULGATE AN ORDINANCE THAT MAY INCREASE OR DECREASE CERTAIN HOUSING COSTS SHALL PREPARE A HOUSING IMPACT ANALYSIS, TO PROVIDE THE UNIT SHALL PREPARE A REPORT CONCERNING THE UNIT'S IMPLEMENTATION OF THE HOUSING PLANS INCLUDED IN ITS COMPREHENSIVE PLAN, TO PROVIDE THE UNIT SHALL PREPARE A REPORT CONCERNING THE UNIT'S RESIDENTIAL DEVELOPMENT FEES, AND TO PROVIDE THAT THE HOUSING AUTHORITY SHALL PREPARE A COMPREHENSIVE FIVE YEAR STATE HOUSING STRATEGY PLAN.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 758 -- Senator Gregory: A BILL TO AMEND SECTION 40-6-240(B) OF THE 1976 CODE, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR LICENSED AUCTIONEERS, TO PROVIDE THAT A LICENSEE WHO IS SIXTY-FIVE YEARS OLD OR OLDER WITH TWENTY-FIVE YEARS OF LICENSURE MAY APPLY FOR A CONTINUING EDUCATION WAIVER.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 759 -- Senator Harpootlian: A BILL TO AMEND CHAPTER 2, TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING SECTION 61-2-15, TO PROVIDE FOR THE CREATION OF THE DEPARTMENT OF ALCOHOL LICENSING AND ENFORCEMENT, TO PROVIDE A

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GOVERNANCE STRUCTURE, AND TO PROVIDE DUTIES; TO AMEND SECTION 61-2-30 OF THE 1976 CODE, RELATING TO PERSONNEL, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 61-2-40 OF THE 1976 CODE, RELATING TO THE FINANCIAL INTEREST OF EMPLOYEES, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 61-2-105 OF THE 1976 CODE, RELATING TO INSPECTION, INVESTIGATION, AND ENFORCEMENT FEES, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-4-10 OF THE 1976 CODE, RELATING TO THE CREATION OF THE DEPARTMENT OF REVENUE, TO REMOVE DUTIES RELATED TO ALCOHOL LICENSURE; TO DELETE SECTION 23-3-15(C) OF THE 1976 CODE, RELATING TO THE STATE LAW ENFORCEMENT DIVISION'S JURISDICTION RELATED TO ALCOHOL ENFORCEMENT; TO TRANSFER CERTAIN DUTIES TO THE DEPARTMENT; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Judiciary.

S. 760 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A

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COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY, AND TO PROVIDE THAT THE BYLAWS MUST DIVIDE THE AREA OF THE COOPERATIVE INTO SEPARATE VOTING DISTRICTS EQUAL TO THE NUMBER OF BOARD OF TRUSTEE MEMBERS TO BE ELECTED, AND THAT MEMBERS OF THE COOPERATIVE RESIDING IN A VOTING DISTRICT SHALL ELECT A MEMBER OF THE BOARD FROM THAT DISTRICT; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; TO AMEND SECTION 33-49-620, RELATING TO VOTING DISTRICTS WHICH MAY BE ESTABLISHED TO ELECT CERTAIN TRUSTEES AND DELEGATES WHO MAY VOTE FOR TRUSTEES, SO AS TO CONFORM ITS PROVISIONS IN ORDER TO REFLECT THAT BOARD MEMBERS MUST BE ELECTED FROM PARTICULAR VOTING DISTRICTS BY THE MEMBERS FROM THAT DISTRICT, AND TO PROVIDE THAT MEMBERS MAY VOTE ONLY IN PERSON AT A MEETING OR AT AN EARLY VOTING SITE; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE ALL MEETINGS OF THE MEMBERSHIP OR THE BOARD TO BE PUBLIC MEETINGS WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH THE SAME EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

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Senator M.B.MATTHEWS spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

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S. 761 -- Senator M. B. Matthews: A BILL TO AMEND ARTICLE 2, CHAPTER 10, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL HEALTH SERVICES, BY ADDING SECTION 59-10-230, TO PROVIDE THAT EACH PUBLIC SCHOOL DISTRICT SHALL ENSURE THE CONTINUOUS PRESENCE OF A MENTAL HEALTH COUNSELOR DURING OPERATING HOURS, AND TO PROVIDE THAT ONE COUNSELOR MUST BE PROVIDED FOR EVERY FIVE HUNDRED STUDENTS ENROLLED AT A SCHOOL.

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Read the first time and referred to the Committee on Education.

S. 762 -- Senator M. B. Matthews: A BILL TO AMEND ARTICLE 1, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING SECTION 59-18-130 AND SECTION 59-18-140, TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL LOWER CHILD-TO-TEACHER RATIOS TO ASSIST CHRONICALLY UNSATISFACTORY SCHOOLS, TO ADDRESS FUNDING, AND TO PROVIDE THAT KINDERGARTEN THROUGH THIRD GRADE CLASSES IN LOW PERFORMING SCHOOLS WITH MORE THAN FIFTEEN STUDENTS MUST HAVE A TEACHER AND A TEACHER'S ASSISTANT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 59 OF THE 1976 CODE, RELATING TO TEACHERS, BY ADDING SECTION 59-25-60, TO PROVIDE THAT EACH CLASSROOM TEACHER AND FULL-TIME LIBRARIAN IS ENTITLED TO AT LEAST A THIRTY-MINUTE DAILY PLANNING PERIOD FREE FROM THE INSTRUCTION AND SUPERVISION OF STUDENTS.

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Read the first time and referred to the Committee on Education.

H. 3080 -- Reps. Stavrinakis, Hosey and Rivers: A BILL TO AMEND SECTION 61-4-550, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE

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DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

Read the first time and referred to the Committee on Judiciary.

H. 3174 -- Reps. Elliott, Tallon, G. R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Read the first time and referred to the Committee on Transportation.

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

Read the first time and referred to the Committee on Finance.

H. 3210 -- Reps. Loftis, Clyburn, Collins, Burns, Clary, W. Cox, Morgan, Hyde, Stringer, Elliott, B. Cox, Gagnon, Caskey, Bannister, Willis, Sottile, Stavrinakis, Daning, Blackwell, Taylor, Forrester, Fry, West, Finlay, Simrill, V. S. Moss, Bryant, Bales, D. C. Moss, Erickson, Herbkersman, Whitmire and Weeks: A BILL TO AMEND ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, SO AS TO REAUTHORIZE THE ACT FOR AN ADDITIONAL SIX YEARS.

Read the first time and referred to the Committee on Finance.

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H. 3231 -- Reps. G. M. Smith, Norrell, Mace, Bernstein and Hixon: A BILL TO AMEND SECTION 20-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ADD AS A GROUND CONDUCT OR TREATMENT THAT DESTROYS THE WELL-BEING, HAPPINESS, AND WELFARE OF A SPOUSE AND RENDERS CONTINUED COHABITATION UNSAFE OR UNENDURABLE.

Read the first time and referred to the Committee on Judiciary.

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G. R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard, Blackwell, Govan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

Read the first time and referred to the Committee on Judiciary.

H. 3351 -- Reps. Jefferson, W. Newton, R. Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-11-102 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60-11-103 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; AND TO REPEAL SECTION 60-11-120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF DEPARTMENT OF ARCHIVES AND HISTORY.

Read the first time and referred to the Committee on Education.

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H. 3485 -- Reps. Jefferson, R. Williams, Cobb-Hunter and Weeks: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND SECTION 12-6-5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

Read the first time and referred to the Committee on Finance.

H. 3577 -- Reps. Allison, Taylor and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-25 SO AS TO PROVIDE EDUCATOR PREPARATION PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION MAY SUBMIT SEPARATE AND DISTINCT EDUCATOR PREPARATION PROGRAMS FOR ALTERNATIVE PREPARATION TO THE STATE BOARD OF EDUCATION FOR APPROVAL, TO PROVIDE THESE PROGRAMS ARE NOT REQUIRED TO BE NATIONALLY ACCREDITED BUT MUST MEET CERTAIN OTHER REQUIREMENTS, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL REPORT RELATED DATA TO THE STATE BOARD OF EDUCATION AND THE GENERAL ASSEMBLY; AND TO AMEND SECTION 59-26-20, RELATING TO DUTIES OF THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION CONCERNING THE TRAINING, CERTIFICATION, AND EVALUATION OF PUBLIC EDUCATORS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS REGARDING A CYCLICAL EVALUATION PROCESS FOR APPROVED TEACHER EDUCATOR PROGRAMS, AND TO PROVIDE RELATED REQUIREMENTS.

Read the first time and referred to the Committee on Education.

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H. 3596 -- Reps. Long, Erickson, Clemmons, Bales, Fry, Loftis, Burns, Hewitt, Bannister, Forrester, Herbkersman, Huggins, Lowe, D. C. Moss, B. Newton, W. Newton, Pope, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Toole, Trantham, Johnson, V. S. Moss, Stringer, Willis, Bailey, Elliott, B. Cox, Magnuson, Clary, Hixon, Martin, Davis, Mace, Kimmons, Bennett, Bradley, Jordan, Finlay, Gagnon, McDaniel, Daning, Allison, Collins, McCoy, Atkinson, Hayes, Kirby, Wooten, Ballentine, Caskey, McCravy, Gilliam, Hill, Chellis, Crawford, Taylor, Young, Weeks, Yow, Whitmire, Hosey, Clyburn, Brown, Govan, Moore and Henderson-Myers: A BILL TO AMEND SECTION 12-43-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATION OF PROPERTY AND ASSESSMENT RATIOS FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO LIMIT ROLLBACK TAXES TO ONE YEAR WHEN LAND CLASSIFIED AS AGRICULTURAL REAL PROPERTY IS APPLIED TO ANOTHER USE.

Read the first time and referred to the Committee on Finance.

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Read the first time and referred to the Committee on Medical Affairs.

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE

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PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Read the first time and referred to the Committee on Medical Affairs.

H. 3730 -- Reps. Fry, West, G. R. Smith, Johnson, Hardee, Dillard, Robinson, Garvin, S. Williams, Sandifer, Martin, W. Newton and B. Newton: A BILL TO AMEND SECTION 44-53-370, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, SO AS TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL".

Read the first time and referred to the Committee on Judiciary.

H. 3737 -- Reps. Spires, Calhoon, Huggins, Caskey, Ott, Ballentine, Toole and Wooten: A BILL TO AMEND SECTION 55-11-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE RICHLAND-LEXINGTON AIRPORT DISTRICT, SO AS TO INCREASE THE DISTRICT'S MEMBERSHIP BY TWO MEMBERS WHO MUST BE RESIDENTS OF CAYCE OR WEST COLUMBIA.

Read the first time and referred to the Committee on Transportation.

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H. 3967 -- Reps. Mace, Trantham, Kimmons, Crawford, Henderson-Myers, Bernstein, McCoy, Fry, Magnuson, Allison, Henegan, Thayer, Cobb-Hunter, King, Brawley, Dillard, Davis, Hewitt, Spires, Collins, Sottile, Daning, Cogswell, Taylor, Atkinson, Ballentine, Bannister, Bennett, Clary, Elliott, Huggins, Long, McDaniel, McKnight, Pendarvis, Rutherford, Simmons, G. R. Smith, Garvin, Rose, B. Cox, Caskey, Moore and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-35 SO AS TO PROVIDE METHODS OF RESTRAINING INMATES WITH A CLINICAL DIAGNOSIS OF PREGNANCY OR IN POSTPARTUM RECUPERATION.

Read the first time and referred to the Committee on Corrections and Penology.

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G. M. Smith, G. R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Simmons and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

Read the first time and referred to the Committee on Finance.

H. 4004 -- Reps. Clary, G. M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND

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TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4008 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

Read the first time and referred to the Committee on Finance.

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION

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DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4017 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Cobb-Hunter, Stavrinakis and Gagnon: A BILL TO AMEND SECTION 1-30-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO ESTABLISH OBJECTIVES FOR THE SOUTH CAROLINA FILM COMMISSION.

Read the first time and referred to the Committee on Judiciary.

H. 4019 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO

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REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4021 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF SWIMMING OR USE OF CABINS AT STATE PARKS, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 51-3-50, RELATING TO THE POWER OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM TO OPEN PARKS TO NORMAL PUBLIC USE, SO AS TO REMOVE A LIMITATION ON THE DEPARTMENT'S POWER; TO REPEAL SECTION 51-3-20 RELATING TO LIMITATIONS ON THE FACILITIES AT STATE PARKS; TO REPEAL SECTION 51-3-30 RELATING TO PENALTIES FOR USING CABINS OR SWIMMING AT A STATE PARK; AND TO REPEAL SECTION 51-3-40 RELATING TO THE LIMITATIONS ON THE OPERATIONS OF CERTAIN STATE PARKS.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4211 -- Reps. Stavrinakis, Simrill, Bernstein, Finlay, Bales and Weeks: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF

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BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

Read the first time and referred to the Committee on Finance.

H. 4318 -- Reps. Hixon, Forrest and Kirby: A BILL TO AMEND SECTION 50-11-544, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, SO AS TO DELETE THE TERM "WILD TURKEY TRANSPORTATION TAGS" AND REPLACE IT WITH THE TERM "WILD TURKEY TAGS" AND TO PROVIDE THE TAGS WILL NO LONGER BE ISSUED AT NO COST; TO AMEND SECTION 50-11-580, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, SO AS TO REVISE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO REVISE THE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO PROVIDE FOR THE TAKING OF FEMALE WILD TURKEYS; BY ADDING SECTION 50-11-590 SO AS TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; BY ADDING SECTION 50-9-640 SO AS TO PROVIDE FEES FOR WILD TURKEY TAGS; TO REPEAL SECTION 50-11-520 RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; TO REPEAL SECTION 7 OF ACT 41 OF 2015 RELATING TO THE HUNTING AND TAKING OF WILD TURKEY; AND BY ADDING SECTION 50-11-546 SO AS TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND PENALTIES FOR A VIOLATION OF THIS PROVISION.

Read the first time and referred to the Committee on Fish, Game and Forestry.

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H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Read the first time and referred to the Committee on Transportation.

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

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H. 4412 -- Rep. Hayes: A BILL TO AMEND SECTIONS 4-10-470 AND 4-10-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO AUTHORIZE ITS IMPOSITION IN CERTAIN SITUATIONS.

Read the first time and referred to the Committee on Finance.

H. 4433 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2019 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4435 -- Reps. Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy,

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McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JACQUALINE "JACQUIE" KASPROWSKI, PRINCIPAL OF CARDINAL NEWMAN SCHOOL, FOR THIRTEEN YEARS OF EXEMPLARY SERVICE AS SHE DEPARTS TO CONTINUE AS ASSOCIATE DIRECTOR OF SECONDARY EDUCATION FOR THE DIOCESE OF CHARLESTON, AND TO WISH HER CONTINUED JOY IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4436 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR TERRY PEACE, SENIOR VICE PRESIDENT OF BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, ON THE OCCASION OF HER UPCOMING RETIREMENT, TO THANK HER FOR HER TWENTY-SEVEN YEARS OF HARD WORK AND DEDICATED SERVICE TO THE COMPANY AND HER COMMUNITY, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 4437 -- Reps. Stavrinakis, Govan, Murphy, McCoy, Mace, B. Cox, Gilliard and Mack: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE ERNEST F. "FRITZ" HOLLINGS OF CHARLESTON COUNTY, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO

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TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE

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PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., April 10, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Appointment, Sumter County Master-in-Equity, with term to commence December 31, 2016, and to expire December 31, 2022:

Mr. Michael McKinney Jordan, 2292 Gingko Drive, Sumter, S.C. 29150

Vice: Howard P. King

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 10, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

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Statewide Appointment

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawks Nest Dr., Hermitage, TN 37076-5621
VICE Susan V. Alford

Received as information.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointment

Appointment, South Carolina Public Charter School District Board of Trustees, with term coterminous with Governor with term to commence July 1, 2018, and to expire July 1, 2021

SC Chamber of Commerce

Kippy (Kip) Derrick Miller, 15 Calumet Court Greenville, SC 29615
VICE Laboan D. Chappell

Received as information.

HOUSE CONCURRENCES

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".

Returned with concurrence.

Received as information.

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S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 "RANDOLPH GARRETT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 683 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 8 THROUGH 12, 2019 AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 10, 2019 AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 203 -- Senators Young, Shealy and Massey: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 4

Senator MARTIN proposed the following amendment (203R009.SP.SRM), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, by deleting Section 59-17-45(A)(3) and inserting:

/ (3) On or before August 1, 2020, an eligible district intending to consolidate must submit a preliminary consolidation plan, timeline, and the proposed use of funds to the local legislative delegation for review and approval through the passage of local legislation. Upon approval by the local legislative delegation, the district shall forward the

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consolidation plan to the Department of Education. The Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator MALLOY asked unanimous consent to proceed to Amendment No. 9.

Amendment No. 9

Senator MALLOY proposed the following amendment (203R011.KMM.GM), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 17 through 42, and page 2, by striking lines 1 through 3.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator MALLOY proposed the following amendment (203R006.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ “Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Spartanburg County. /

Renumber sections to conform.

Amend title to conform.

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On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator MALLOY proposed the following amendment (203R007.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ “Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Florence County. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 7

Senator MALLOY proposed the following amendment (203R008.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ “Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Lexington County. For Lexington-Richland District 5, the portion of the district located in Lexington County shall be consolidated with districts in Lexington

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County. The Richland County portion of the district may become a single district or may consolidate with a district with which it shares a boundary within Richland County. /

Renumber sections to conform.

Senator MALLOY explained the amendment.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 8

Senator FANNING proposed the following amendment (DG\203C001.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-145(A) and (B) and inserting:

/ SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other contiguous districts within its county:

(a) based on the forty-five day average daily student membership count received by the Department of Education for the 2018-19 School Year, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV in the 2018 tax year pursuant to Section 12-6-3360(B).

(2) The funds must be used to support costs directly related to the consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(3) On or before August 1, 2020, eligible districts must submit a preliminary consolidation plan and timeline to the Department of Education for review and approval and must include the proposed use of funds. The Department of Education may not approve any consolidation plan unless each proposed consolidated district is contiguous with at least one other proposed consolidated district. Upon approval by the Department of Education, the districts shall forward the consolidation

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plan to their local legislative delegation for action. Upon approval of a consolidation plan by the Department of Education, the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts.

(B)(1) After August 1, 2022, any local school district satisfying the characteristics of subsection (A)(1) that has not implemented consolidation pursuant to subsection (A) shall be merged with one or more contiguous districts in the same county and is not eligible for appropriated funds. The Department of Education will direct the merger and shall report to the General Assembly any legislative actions necessary to accomplish the merger.

(2) If a district began consolidation and received funding pursuant to subsection (A) but did not fully implement the consolidation, then the district shall be consolidated pursuant to this subsection. The Department of Education shall direct the district to remit payment in an amount equal to the funds allocated pursuant to subsection (A). The Department of Education shall work with the districts involved to identify services that will be consolidated and to enhance educational services and the programs available to students. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Present 1

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>

[SJ]

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McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Gambrell	Senn
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Total--2

PRESENT

Malloy

Total--1

There being no further amendments, the Bill, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator BENNETT, with unanimous consent, Senators BENNETT, SHEHEEN, JACKSON, DAVIS, NICHOLSON, SCOTT, CORBIN and HEMBREE were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 675 -- Senators Turner and Allen: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S

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SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

S. 712 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.

S. 162 -- Senators Bennett, Johnson and Climer: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

AMENDED, THIRD READING FAILED

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450

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OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS proposed the following amendment (509R002.SP.LKG), which was adopted:

Amend the bill, as and if amended, page 3, line 3, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 56-15-310(A) of the 1976 Code is amended to read:

“Section 56-15-310. (A)(1) Before engaging in business as a dealer or wholesaler in this State, a person first must make application to the Department of Motor Vehicles for a license. Each license issued expires ~~twelve~~ thirty-six months from the month of issue (licensing period) and must be displayed prominently at the established place of business. The fee for the license is one hundred fifty dollars. The license applies to only one place of business of the applicant and is not transferable to another person or place of business except that a licensed dealer may exhibit and sell motor homes, as defined by Section 56-15-10, at fairs, recreational or sports shows, vacation shows, and other similar events or shows upon obtaining a temporary dealer’s license in the manner required by this section. No other exhibitions may be allowed, except as may be permitted by this section. Before exhibiting and selling motor homes at temporary locations as permitted above, the dealer shall first make application to the department for a license. To be eligible for a temporary license, a dealer shall hold a valid dealer’s license issued pursuant to this chapter. Every temporary dealer’s license issued is valid for a period not to exceed ten consecutive days and must be prominently displayed at the temporary place of business. No dealer may purchase more than six temporary licenses in any one licensing period. The fee for each temporary license issued is twenty dollars. A temporary license applies

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to only one dealer operating in a temporary location and is not transferable to any other dealer or location.

(2) Any person failing to secure a temporary license as required by this section is guilty of a misdemeanor and, upon conviction, must be punished in the same manner as he would be punished for failure to secure his regular dealer's license.

(3) The provisions of this section may not be construed as allowing the sale of any type of motor vehicles other than motor homes at authorized temporary locations.

(4) Every owner with a stake in the business of ten percent or more must undergo a state criminal records check, including a fingerprints check, by the South Carolina Law Enforcement Division, and a national criminal records check, including a fingerprints check by the Federal Bureau of Investigations. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division is authorized to store the prints for notification purposes. The fingerprint-based criminal background checks must be performed no more than ninety days prior to application or renewal submission to the Department of Motor Vehicles.

SECTION __. Section 56-15-320(B) of the 1976 Code is amended to read:

“(B) Each applicant for licensure as a dealer or wholesaler shall furnish a surety bond in the penal amount of ~~thirty~~ fifty thousand dollars on a form prescribed by the director of the department. The bond must be given to the department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a motor vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made in connection with the sale or transfer of a motor vehicle by a licensed dealer or wholesaler or the dealer's or wholesaler's agent acting for the dealer or wholesaler or within the scope of employment of the agent or loss or damage suffered by reason of the violation by the dealer or wholesaler or his agent of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer or wholesaler and against the dealer's or wholesaler's surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for claims is limited to ~~thirty~~ fifty thousand dollars on each bond and to the amount

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of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days' written notice of its intent to cancel the bond. The cancellation does not affect liability incurred or accrued before the cancellation."

SECTION __. Section 56-15-350 of the 1976 Code is amended to read:

"Section 56-15-350. (A) Any license issued under this chapter may be denied, suspended, or revoked, if the applicant or licensee or an agency of the applicant or licensee acting for the applicant or licensee is determined by the Department of Motor Vehicles to have:

~~(a)~~(1) made a material misstatement in the application for the license;

~~(b)~~(2) violated any provision of this chapter;

~~(c)~~(3) been found by a court of competent jurisdiction to have committed any fraud connected with the sale or transfer of a motor vehicle;

~~(d)~~(4) employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers and wholesalers by the laws of this State;

~~(e)~~(5) been convicted of any violation of law involving the acquisition or transfer of a title to a motor vehicle or of any violation of law involving tampering with, altering, or removing motor vehicle identification numbers or markings;

~~(f)~~(6) been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a motor vehicle odometer, including the provisions of 49 U.S.C. 32701-32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) refused or failed to comply with the department's reasonable requests to inspect or copy the records, books, and files of the dealer or wholesaler or failed to maintain records of each motor vehicle transaction as required by this chapter or by state and federal law pertaining to odometer records; ~~or~~

~~(h)~~(8) ~~Given given~~, loaned, or sold a dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer or wholesaler pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any vehicle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer or wholesaler to whom the license plate was originally issued; or

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(9) been convicted of embezzlement by a state or federal court.

(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall inform the licensee of his right to request a contested case hearing with the Office of Motor Vehicle Hearings in accordance with the rules of procedure for the Administrative Law Court and pursuant to the Administrative Procedures Act of this State. A licensee desiring a hearing shall file a request in writing with the Office of Motor Vehicle Hearings within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon a denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates."

SECTION __. Section 56-15-570 of the 1976 Code is amended to read:

"Section 56-15-570. (A) Each applicant for licensure as a wholesale motor vehicle auction shall furnish a surety bond in the penal amount of ~~fifteen~~ thirty thousand dollars on a form prescribed by the Department of Motor Vehicles. The bond must be given to the department and executed by the applicant as principal and by a corporate surety company authorized to do business in this State as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a motor vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made by the licensee in connection with the sale or transfer of a motor vehicle by the licensee or its agent acting for it or within the scope of employment of the agent or loss or damage suffered by reason of a violation by the licensee or its agent of this chapter.

(B) An owner or his legal representative who suffers loss or damage has a right of action against the wholesale motor vehicle auction and against the licensee's surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for all claims is limited to ~~fifteen~~ thirty thousand dollars on each bond and to the amount of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days' written notice of its intent to cancel the bond. The surety shall notify the department if the bond is canceled. The cancellation does not affect liability incurred or accrued before the cancellation."

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SECTION __. Section 56-14-30(A) of the 1976 Code is amended to read:

“Section 56-14-30. (A)(1) Before engaging in business as a recreational vehicle dealer in this State, a person first must make application to the Department of Motor Vehicles for a license. Each license issued expires on the last day of the month twelve months from the date of issue, the ‘licensing period’, and must be displayed prominently at the established place of business. The fee for the license is fifty dollars. The license applies to only one place of business of the applicant and is not transferable to another person or place of business.

(2) Every owner with a stake in the business of ten percent or more will submit to the department a national fingerprint-based criminal background check performed no more than ninety days prior to application or renewal submission to the department.”

SECTION __. Section 56-14-40(B) of the 1976 Code is amended to read:

“(B) Each applicant shall furnish a surety bond in the penal amount of ~~thirty~~ fifty thousand dollars on a form prescribed by the department. A new bond or a proper continuation certificate must be delivered to the department annually before a dealer’s license may be renewed. A dealer’s license expires immediately upon expiration or termination of a dealer’s bond. The bond must be given to the department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a recreational vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made in connection with the sale or transfer of a recreational vehicle by a licensed recreational vehicle dealer or the dealer’s agent acting for the dealer, or within the scope of employment of the agent or loss or damage suffered by reason of the violation by the dealer or his agent of any provisions of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer and against the dealer’s surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for claims is limited to ~~thirty~~ fifty thousand dollars on each bond and to the amount of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days’ written notice of its intent to cancel the bond.

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The cancellation does not affect liability incurred or accrued before the cancellation.”

SECTION __. Section 56-14-70 of the 1976 Code is amended to read:

“Section 56-14-70. (A) A license may be denied, suspended, or revoked if the applicant or licensee or an agent of the applicant or licensee is determined by the department to have:

~~(a)~~(1) made a material misstatement in the application for the license;

~~(b)~~(2) violated any provision of this chapter;

~~(c)~~(3) been found by a court of competent jurisdiction to have committed any fraud connected with the sale or transfer of a vehicle;

~~(d)~~(4) employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers by the laws of this State;

~~(e)~~(5) been convicted of any violation of law involving the acquisition or transfer of a title to a vehicle or of any violation of law involving tampering with, altering, or removing vehicle identification numbers or markings;

~~(f)~~(6) been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a vehicle odometer, including the provisions of 49 U.S.C. 32701—32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) refused or failed to comply with the department’s reasonable requests to inspect or copy the records, books, and files of the dealer or failed to maintain records of each vehicle transaction as required by this chapter or by state and federal law pertaining to odometer records;~~or~~

~~(h)~~(8) given, loaned, or sold a vehicle dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any vehicle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer to whom the license plate was originally issued;or

(9) been convicted of embezzlement by a state or federal court.

(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall inform the licensee of his right to request a contested case hearing with

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the Office of Motor Vehicle Hearings in accordance with the rules of procedure for the Administrative Law Court and pursuant to the Administrative Procedures Act of this State. A licensee desiring a hearing shall file a request in writing with the Office of Motor Vehicle Hearings within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon a denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates."

SECTION __. Section 56-16-140(A) of the 1976 Code is amended by adding a new item to read:

"(3) Every owner with a stake in the business of ten percent or more will submit to the Department of Motor Vehicles a national fingerprint-based criminal background check performed no more than ninety days prior to application or renewal submission to the department."

SECTION __. Section 56-16-150(2) of the 1976 Code is amended to read:

"(2) Each applicant for licensure as a motorcycle dealer or wholesaler must furnish a surety bond in the penal amount of ~~fifteen~~ twenty-five thousand dollars on a form to be prescribed by the director of the department. The bond must be given to the Department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the provisions of the statutes applicable to the license and as indemnification for any loss or damage suffered by an owner of a motorcycle, or his legal representative, by reason of any fraud practiced or fraudulent representation made in connection with the sale or transfer of a motorcycle by a licensed dealer or wholesaler or the dealer's or wholesaler's agent acting for the dealer or wholesaler or within the scope of employment of the agent or any loss or damage suffered by reason of the violation by the dealer or wholesaler or his agent, of any of the provisions of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer or wholesaler and against the dealer's or wholesaler's surety upon the bond and may recover damages as provided in this chapter. A new bond or a proper continuation certificate must be delivered to the Department annually before the license is renewed. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for any and all claims is limited to ~~fifteen~~ twenty-five thousand dollars on each bond and to the amount of the actual loss incurred. The surety has the right to terminate its liability

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under the bond by giving the Department thirty days' written notice of its intent to cancel the bond. The cancellation does not affect any liability incurred or accrued prior to the cancellation."

SECTION __. Section 56-16-180 of the 1976 Code is amended to read:

"Section 56-16-180. (A) Any license issued under this chapter may be denied, suspended, or revoked if the applicant or licensee or an agency of the applicant or licensee acting for the applicant or licensee is determined by the Department of Motor Vehicles to have:

~~(a)~~(1) Made a material misstatement in the application for the license;

~~(b)~~(2) Violated any provision of this chapter;

~~(c)~~(3) Been found by a court or competent jurisdiction to have committed any fraud connected with the sale or transfer of a motorcycle;

~~(d)~~(4) Employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers and wholesalers by the laws of this State;

~~(e)~~(5) Been convicted of any violation of law involving the acquisition or transfer of a title to a motorcycle or of any violation of law involving tampering with, altering, or removing motorcycle identification numbers or markings;

~~(f)~~(6) Been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a motorcycle odometer, including the provisions of 49 U.S.C. 32701-32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) Refused or failed to comply with the Department's reasonable requests to inspect or copy the records, books, and files of the dealer or wholesaler or failed to maintain records of each motorcycle transaction as required by this chapter or by state and federal law pertaining to odometer records; ~~or~~

~~(h)~~(8) Given, loaned, or sold a dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer or wholesaler pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any motorcycle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer or wholesaler to whom the license plate was originally issued; or

(9) Been convicted of embezzlement by a state or federal court.

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(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall provide the licensee an opportunity for a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure and the Administrative Procedures Act of this State. A licensee desiring a hearing shall request it in writing within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon the denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates." /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 30; Present 1

AYES

Allen	Campsen	Cash
Fanning	Grooms	Harpootlian
Hembree	Hutto	Massey
<i>Matthews, John</i>	Rankin	Sabb

Total--12

NAYS

Alexander	Bennett	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, Margie</i>	McElveen	McLeod
Peeler	Reese	Rice
Scott	Setzler	Shealy

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Sheheen
Verdin

Talley
Williams

Turner
Young

Total--30

PRESENT

Senn

Total--1

Having failed to receive the necessary votes, third reading failed.

Having voted on the prevailing side, Senator LEATHERMAN moved to reconsider the vote whereby third reading of the Bill failed.

Senator GROOMS spoke in favor of reconsidering third reading of the Bill.

The question then was to reconsider the vote whereby third reading of the Bill failed.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 20

AYES

Allen
Cromer
Hutto
Massey

Campsen
Fanning
Johnson
McElveen

Cash
Grooms
Leatherman
Sabb

Total--12

NAYS

Alexander
Gambrell
Malloy
McLeod
Rice
Talley
Williams

Climer
Gregory
Martin
Peeler
Setzler
Turner
Young

Davis
Jackson
Matthews, Margie
Reese
Shealy
Verdin

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Total--20

The motion to reconsider third reading failed.

AMENDED, READ THE THIRD TIME

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and SABB proposed the following amendment (JUD0017.005), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE

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FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEW RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND TO AMEND SECTION 23-11-110(B), RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-40 of the 1976 Code is amended to read:

“Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county board of voter registration and elections whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify any

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candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and such candidate's name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110.”

SECTION 2. Section 7-13-350 of the 1976 Code is amended to read:

“Section 7-13-350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for general elections held under Section 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate

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certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

(C) For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

(D) For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 3. Section 7-13-351 of the 1976 Code is amended to read:

"Section 7-13-351. Any nominee by petition for one or more of the national, state, circuit, multi-county district, countywide, or less than countywide offices, to be voted on in the general election must be placed upon the appropriate ballot by the officer, commissioners, or other authority charged by law with preparing the ballot if the petition is submitted to the officer, commissioner, or other authority, as the case may be, for general elections held under Section 7-13-10, not later than twelve o'clock noon on July fifteenth or, if July fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday. At the time the petition is submitted, the authority charged with accepting it shall issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained in the petition. The county board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing the ballot for that office and must certify the results to the authority not later than twelve o'clock noon August fifteenth or, if August fifteenth falls on Sunday, not later than twelve o'clock noon on the following Monday.

The petition of any candidate in any special election, including municipal special elections, must be submitted to the authority charged with printing the ballot for those offices not later than twelve o'clock noon on the sixtieth day prior to the date of the holding of the election,

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or if the sixtieth day falls on Sunday, by not later than twelve o'clock noon on the following Monday. At the time a petition is submitted, the authority charged with accepting it must issue a receipt to the person submitting the petition which must reflect the date the petition was submitted and the total number of signatures contained in the petition. The candidate submitting the petition must certify, on a form designed and provided by the State Election Commission, that he meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing of the ballots for that office and must certify the results thereof to the authority not later than twelve o'clock noon on the forty-fifth day prior to the date of holding the election, or if the forty-fifth day falls on Sunday, by twelve o'clock noon on the following Monday.

Once submitted for verification, a petition for nomination of a candidate for any office may not be returned to the petitioner, but must be retained by the authority to whom the petition was submitted and must become a part of the records of the election for which the petition was submitted.

In the event of an emergency declared by the Governor and the conditions precipitating the emergency declaration prevent a candidate from filing the nominating petition within the time required by this section, the candidate has an additional five days to submit the nominating petition to the appropriate office.

The authority to whom a petition is submitted must verify that qualifications of each potential petition candidate prior to certification of that candidate to be placed on the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which the petition is submitted. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office sought shall not have his name placed on the ballot.

For purposes of this section, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the

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candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110.”

SECTION 4. Section 17-5-130 of the 1976 Code is amended to read:

“Section 17-5-130. (A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;
(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;
(d) have attained the age of twenty-one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;

(e) have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner;

(f) be a medical doctor; or

(g) have a bachelor of science degree in nursing.

(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit on a form designed and provided by the South Carolina Election

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Commission with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of coroner and the following information:

- (a) the person's date and place of birth;
- (b) the person's citizenship;
- (c) the county the person is a resident of, and how long the person has been a resident of that county;
- (d) whether the person is a registered voter;
- (e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;
- (f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;
- (g) the date the person obtained an associate or baccalaureate degree, if applicable;
- (h) the date the person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable; and
- (i) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable.

(5)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for coroner may be certified by the authority to whom the petition is

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submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(C) Each person serving as coroner in the person's first term is required to complete a ~~basic training session~~ recognized forensic science degree or certification program to be determined ~~recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy.~~ The South Carolina Coroners Association must post information about the recognized forensic science degree or certification program with links to allow for registration on its website. Before any change to the approved recognized forensic science degree or certification program takes place, the new recognized forensic science degree or certification program must be approved by the Criminal Justice Academy and posted on the South Carolina Coroners Association website. This ~~basic training session~~ recognized forensic science degree or certification program must be completed no later than the end of the calendar year following the person's election as coroner. A person appointed to fill the unexpired term in the office of coroner shall complete a ~~basic training session to be determined~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the ~~basic training session~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy if the person has successfully completed the session prior to the person's election or appointment as coroner. A coroner who is unable to attend this ~~training session~~ recognized forensic science degree or certification program when offered because of an emergency or extenuating circumstances, within one year from the date the disability or cause terminates, shall complete the ~~standard basic training session~~ recognized forensic science degree or certification program required of coroners. A coroner who does not fulfill the obligations of this subsection is subject to suspension by the Governor until the coroner completes the training session.

(D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each

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year, all coroners and deputy coroners shall complete a minimum of sixteen hours training annually as selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

(E)(1) The basis for the minimum annual requirement of in-service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection (C) is excused from the minimum annual training requirements of subsection (D) for the calendar year in which the basic training session is completed.

(2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in-service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

(3) A coroner who fails to complete the minimum annual in-service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until the coroner completes the annual minimum in-service training required in this section. The Governor shall appoint, at the time of the coroner's suspension, a qualified person to perform as acting coroner during the suspension.

(F) A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

(G)(1) The Director of the South Carolina Criminal Justice Academy shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as 'recognized' pursuant to the requirements of this section. Also, the committee shall assist in determining annual training requirements as set forth in this section. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee shall serve without compensation.

(2) The Coroners Training Advisory Committee shall govern the qualifications of all coroners, deputy coroners, and candidates for coroner as set forth in this section. Also, the committee must certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before the

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committee or failure to follow state law relating to the performance of official duties may result in sanctioning in the form of a private or public reprimand. Also, the committee may recommend suspension to the Governor and loss of funding to the county council. A person may appeal an action of the committee pursuant to the provisions of Chapter 23, Title 1. The committee may hire an administrative assistant if it is determined necessary.

(H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training.”

SECTION 5. Sections 23-11-110(B) of the 1976 Code are amended to read:

“(B)(1)A person offering his candidacy for the office of sheriff, shall file a fully completed sworn affidavit, on a form designed and provided by the South Carolina Election Commission, no later than the close of filing, with the county executive committee of the person’s political party. The county executive committee of any political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on Saturday, Sunday, or a holiday, the affidavits must be filed by noon the following day. A person seeking nomination by petition must file a fully completed sworn affidavit with the county election commission in the county of his residence.

(2) The affidavit must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of sheriff and the following information:

- (a) the date and place of the person’s birth;
- (b) the date the person graduated from high school or the date the person obtained the recognized equivalent of a high school diploma;
- (c) the date the person received any associate or baccalaureate degrees when applicable;
- (d) the number of years’ experience the person has had as a certified law enforcement officer when applicable;
- (e) the number of years the person has served as a summary court judge when applicable; and
- (f) an affirmation that the person meets all of the qualification requirements of subsection (A).

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(3)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.”

SECTION 6. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senators HUTTO and SABB proposed the following amendment (JUD0017.004), which was withdrawn:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, RELATING TO CORONER

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QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEW RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND SECTION 23-11-110(A) AND (B), RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES FOR SHERIFF, TO MAKE CLARIFICATIONS IN ADDITIONAL QUALIFICATIONS, AND TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-40 of the 1976 Code is amended to read:

“Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county board of voter registration and elections whichever is responsible under law for preparing the ballot, not later than twelve o’clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary

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ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and such candidate's name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 2. Section 7-13-350 of the 1976 Code is amended to read:

"Section 7-13-350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for general elections held under Section 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties

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nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

(C) For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

(D) For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 3. Section 7-13-351 of the 1976 Code is amended to read:

"Section 7-13-351. Any nominee by petition for one or more of the national, state, circuit, multi-county district, countywide, or less than countywide offices, to be voted on in the general election must be placed upon the appropriate ballot by the officer, commissioners, or other authority charged by law with preparing the ballot if the petition is submitted to the officer, commissioner, or other authority, as the case may be, for general elections held under Section 7-13-10, not later than twelve o'clock noon on July fifteenth or, if July fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday. At the time the petition is submitted, the authority charged with accepting it shall issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained in the petition. The county board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing the ballot for that office and must certify the results to the authority not later than twelve o'clock noon August fifteenth or, if August fifteenth falls on Sunday, not later than twelve o'clock noon on the following Monday.

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The petition of any candidate in any special election, including municipal special elections, must be submitted to the authority charged with printing the ballot for those offices not later than twelve o'clock noon on the sixtieth day prior to the date of the holding of the election, or if the sixtieth day falls on Sunday, by not later than twelve o'clock noon on the following Monday. At the time a petition is submitted, the authority charged with accepting it must issue a receipt to the person submitting the petition which must reflect the date the petition was submitted and the total number of signatures contained in the petition. The candidate submitting the petition must certify, on a form designed and provided by the State Election Commission, that he meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing of the ballots for that office and must certify the results thereof to the authority not later than twelve o'clock noon on the forty-fifth day prior to the date of holding the election, or if the forty-fifth day falls on Sunday, by twelve o'clock noon on the following Monday.

Once submitted for verification, a petition for nomination of a candidate for any office may not be returned to the petitioner, but must be retained by the authority to whom the petition was submitted and must become a part of the records of the election for which the petition was submitted.

In the event of an emergency declared by the Governor and the conditions precipitating the emergency declaration prevent a candidate from filing the nominating petition within the time required by this section, the candidate has an additional five days to submit the nominating petition to the appropriate office.

The authority to whom a petition is submitted must verify that qualifications of each potential petition candidate prior to certification of that candidate to be placed on the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which the petition is submitted. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office sought shall not have his name placed on the ballot.

For purposes of this section, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the

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candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110.”

SECTION 4. Section 17-5-130 of the 1976 Code is amended to read:

“Section 17-5-130. (A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

- (a) be a citizen of the United States;
- (b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;
- (c) be a registered voter;
- (d) have attained the age of twenty-one years before the date of qualifying for election to the office;
- (e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and
- (f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

- (a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;
- (b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;
- (c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;
- (d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;
- (e) have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner;
- (f) be a medical doctor; or
- (g) have a bachelor of science degree in nursing.

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(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit on a form designed and provided by the South Carolina Election Commission with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of coroner and the following information:

- (a) the person's date and place of birth;
- (b) the person's citizenship;
- (c) the county the person is a resident of, and how long the person has been a resident of that county;
- (d) whether the person is a registered voter;
- (e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;
- (f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;
- (g) the date the person obtained an associate or baccalaureate degree, if applicable;
- (h) the date the person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable; and
- (i) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable.

(5)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for coroner may be certified by a political party to the appropriate election

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commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(C) Each person serving as coroner in the person's first term is required to complete a ~~basic training session~~ recognized forensic science degree or certification program to be determined recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy. The South Carolina Coroners Association must post information about the recognized forensic science degree or certification program with links to allow for registration on its website. Before any change to the approved recognized forensic science degree or certification program takes place, the new recognized forensic science degree or certification program must be approved by the Criminal Justice Academy and posted on the South Carolina Coroners Association website. This ~~basic training session~~ recognized forensic science degree or certification program must be completed no later than the end of the calendar year following the person's election as coroner. A person appointed to fill the unexpired term in the office of coroner shall complete a ~~basic training session to be determined~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the ~~basic training session~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy if the person has successfully completed the session prior to the person's election or appointment as coroner. A coroner who is unable to attend this ~~training session~~ recognized forensic science degree or certification program when offered because of an emergency or extenuating circumstances, within one year from the date the disability or cause terminates, shall complete the ~~standard basic training session~~ recognized forensic science degree or certification program required of coroners. A coroner who does not fulfill the obligations of this subsection is subject to suspension by the Governor until the coroner completes the training session.

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(D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each year, all coroners and deputy coroners shall complete a minimum of sixteen hours training annually as selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

(E)(1) The basis for the minimum annual requirement of in-service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection (C) is excused from the minimum annual training requirements of subsection (D) for the calendar year in which the basic training session is completed.

(2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in-service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

(3) A coroner who fails to complete the minimum annual in-service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until the coroner completes the annual minimum in-service training required in this section. The Governor shall appoint, at the time of the coroner's suspension, a qualified person to perform as acting coroner during the suspension.

(F) A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

(G)(1) The Director of the South Carolina Criminal Justice Academy shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as 'recognized' pursuant to the requirements of this section. Also, the committee shall assist in determining annual training requirements as set forth in this section. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee shall serve without compensation.

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(2) The Coroners Training Advisory Committee shall govern the qualifications of all coroners, deputy coroners, and candidates for coroner as set forth in this section. Also, the committee must certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before the committee or failure to follow state law relating to the performance of official duties may result in sanctioning in the form of a private or public reprimand. Also, the committee may recommend suspension to the Governor and loss of funding to the county council. A person may appeal an action of the committee pursuant to the provisions of Chapter 23, Title 1. The committee may hire an administrative assistant if it is determined necessary.

(H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training.”

SECTION 5. Sections 23-11-110(A) and (B) of the 1976 Code are amended to read:

“(A) All sheriffs and candidates for sheriff in this State must have the following qualifications:

- (1) be a citizen of the United States;
- (2) be a resident of the county in which he seeks the office of sheriff for at least one year immediately preceding the date of the election for sheriff;
- (3) be a registered voter;
- (4) have attained the age of at least twenty-one years prior to the date of his qualifying for election to the office;
- (5) have:
 - (a) obtained a high school diploma, its recognized equivalent in educational training as established by the State Department of Education, and have at least five years experience as a Class 1 certified law enforcement officer; or
 - (b) obtained a two-year associate degree and three years experience as a Class 1 certified law enforcement officer; or
 - (c) obtained a four-year baccalaureate degree and one years experience as a Class 1 certified law enforcement officer; or
 - (d) served as a summary court judge for at least ten years.

For purposes of this section, a ‘Class 1 certified law enforcement officer’ is a person who has been issued a certificate as a Class 1 law enforcement officer ~~pursuant to Section 23-23-10~~ by the South Carolina Law Enforcement Training Council. A sheriff holding office on the

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effective date of this section is not required to have obtained the necessary experience as a certified law enforcement officer in this State;

(6) have not been convicted of, ~~or~~ pled guilty to, or been pardoned for a violation of Section 56-1-460 or 56-5-2930, or both, within the past ten years or a felony in this State or another state; and

(7) have not been convicted of, pled guilty to, or been pardoned for a felony or a crime of moral turpitude in this State or another state;

(8) be fingerprinted and have the State Law Enforcement Division make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than one hundred thirty days prior to the general election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the records search with the county election commission in the county of his residence; and

(9) be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. A sheriff holding office on the effective date of this section is exempt from the provisions in this subsection.

(B)(1) A person offering his candidacy for the office of sheriff, shall file a fully completed sworn affidavit, on a form designed and provided by the South Carolina Election Commission, no later than the close of filing, with the county executive committee of the person's political party. The county executive committee of any political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on Saturday, Sunday, or a holiday, the affidavits must be filed by noon the following day. A person seeking nomination by petition must file a fully completed sworn affidavit with the county election commission in the county of his residence.

(2) The affidavit must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of sheriff and the following information:

(a) the date and place of the person's birth;

(b) the date the person graduated from high school or the date the person obtained the recognized equivalent of a high school diploma;

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(c) the date the person received any associate or baccalaureate degrees when applicable;

(d) the number of years' experience the person has had as a certified law enforcement officer when applicable;

(e) the number of years the person has served as a summary court judge when applicable; and

(f) an affirmation that the person meets all of the qualification requirements of subsection (A).

(3)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection."

SECTION 6. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was withdrawn.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

[SJ]

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Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, READ THE THIRD TIME

S. 276 -- Senator Senn: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (276R001.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 8 through 22 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his bond, be ordered to undergo a mental health

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evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /
Renumber sections to conform.
Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R003.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 16 through 19.
Renumber sections to conform.
Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R004.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 20 through 22 and inserting:
/ (C) A person who violates subsection (A): /
Renumber sections to conform.
Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R005.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 10 through 24 and inserting:
/ (B) A person who is charged with violating subsection (A) may, as a condition of his bond, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by

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the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /
Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R007.KMM.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 10 through 24 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his initial bond hearing and any subsequent bond hearing, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /
Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (276R006.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 22 through 36 and inserting:

/ (C) A person who violates subsection (A):

(1) if the violation does not result in damage to or the destruction of a building or other real or personal property or in the serious bodily injury or death of another person:

(a) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, imprisoned not more than one year, or both; and

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(b) for a second or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars, imprisoned not more than two years, or both;

(2) if the violation results in damage to or the destruction of a building or other real or personal property, is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars, imprisoned not more than three years, or both; or

(3) if the violation results in the serious bodily injury or death of another person, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, imprisoned not more than five years, or both. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (276R002.KMM.SRM), which was withdrawn:

Amend the bill, as and if amended, page 2, line 37, by adding:

/ (E) Mental health evaluation, as provided in this section, shall not be a condition of bond for a person charged with a violation of subsection (A) if funding for mental health evaluations related to violations of this section is not specifically appropriated in the annual general appropriations act. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was withdrawn

Senators MASSEY and MARTIN proposed the following amendment (276R008.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, line 39, by adding an appropriately numbered new SECTION to read:

/ SECTION __. The Department of Mental Health shall study the scope of application and financial impact of this act and shall annually make a report to the General Assembly containing its findings by January 1 beginning in 2020. /

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Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator MASSEY explained the Bill.

Senator MARGIE B. MATTHEWS proposed the following amendment (JUD0276.006), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 37-38 and inserting therein:

/ (D) Information related to a mental evaluation ordered pursuant to this section shall be strictly protected under the Health Insurance Portability and Accountability Act of 1996 and the results of the evaluation must only be released to relevant parties specified under a protective order signed by the chief administrative judge of general sessions court for the jurisdiction.

(E) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other criminal statute.” /

Renumber sections to conform.

Amend title to conform.

Senator M.B. MATTHEWS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 10

AYES

Alexander	Bennett	Campsen
Cash	Climer	Cromer
Davis	Gambrell	Gregory
Grooms	Harpootlian	Hutto
Johnson	Leatherman	Loftis
Martin	Massey	<i>Matthews, John</i>
McElveen	McLeod	Peeler

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Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Young

Total--30

NAYS

Allen	Corbin	Fanning
Malloy	<i>Matthews, Margie</i>	Nicholson
Reese	Sabb	Verdin
Williams		

Total--10

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, READ THE THIRD TIME

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES

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FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and YOUNG proposed the following amendment (JUD0342.007), which was adopted:

Amend the bill, as and if amended, page 9, after line 18 by inserting an appropriately numbered new SECTION to read:

/ SECTION . Section 61-2-145 of the 1976 Code is amended to read:

“Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o’clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. ~~Failure~~ The department must automatically suspend the permit or license for any person who fails to maintain this coverage ~~constitutes grounds for suspension or revocation of the permit or license.~~

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o’clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person

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licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement. Upon notification of the permit or license holder's lapse or termination of the liquor liability insurance policy or general liability insurance policy, the department must automatically suspend the permit or license theretofore issued.

(D) Notwithstanding any other provision of law, when the department has suspended the permit or license pursuant to subsection (A) or (C), the permittee or licensee may request an expedited contested case hearing with the Administrative Law Court to review the department's decision. The expedited hearing must be held within thirty days from the request, and the judge must issue an order no later than fifteen business days after the hearing is concluded.

~~(D)~~(E) For the purposes of this section, the term 'alcoholic beverages' means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.' /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>

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McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED

READ THE THIRD TIME

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD0480.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23-3-90. (A) Notwithstanding any other provision of law, an agency in this State authorized to conduct a state fingerprint-based background check conducted by SLED may also conduct a nationwide federal fingerprint-based background check conducted by the Federal Bureau of Investigation in a manner prescribed by SLED.

(B) SLED, upon request, may submit the fingerprints collected by agencies authorized to conduct state fingerprint-based background checks by SLED to the Federal Bureau of Investigation’s Next Generation Identification (NGI) program.

(C) SLED and the Federal Bureau of Investigation may retain collected fingerprints. Retained fingerprints may be searched by future submissions to SLED and the NGI System, including latent fingerprint searches, and appropriate responses sent to SLED and authorized recipients.

(D) SLED may charge a reasonable fee for the collection and retention of the fingerprints.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian

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Hembree	Hutto	Jackson
Johnson	Loftis	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE THIRD TIME

S. 281 -- Senators Talley, Campbell and Martin: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

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Senator TALLEY proposed the following amendment (281R009.SP.SFT), which was adopted:

Amend the bill, as and if amended, by striking Section 47-3-980(B) and inserting:

/ (B) A person who is adjudicated to be in violation of the provisions of subsection (A) must be fined:

(1) for a first offense, an amount not more than two hundred fifty dollars;

(2) for a second offense, an amount not more than five hundred dollars; and

(3) for a third or subsequent offense, an amount not more than one thousand dollars./

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments.

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

OBJECTION

S. 444 -- Senators Hembree, Davis, Shealy, Young, Climer, Gregory, Harpootlian, Bennett, Verdin, Campsen and M.B. Matthews: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO PROVIDE THAT THE ABILITY OF THE CIRCUIT SOLICITOR TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S RIGHT TO A SPEEDY TRIAL; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE

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ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL
CRIME VICTIMS' CONSTITUTIONAL RIGHTS.

Senator MALLOY objected to the consideration of the Bill.

READ THE SECOND TIME

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL
TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE
AUTOMATIC REPEAL OF STATUTORY PROVISIONS
REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE
PLACED IN A CLASS 3 LANDFILL.

The Senate proceeded to the consideration of the Bill.

Senator RICE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Loftis	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 15 -- Senators Rankin and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH THE 2020-2021 SCHOOL YEAR.

Senator MARTIN objected to the consideration of the Bill.

CARRIED OVER

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT

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OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

On motion of Senator VERDIN, the Bill was carried over.

**COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME**

S. 293 -- Senators Cash, Corbin, Rice and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0293.002), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the premises of an elementary or secondary school if a church leases the school premises for church services or official church activities. The provisions contained in this section apply only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school, however, they do not apply during any time a curricular or extracurricular school sponsored activity is taking place on the property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has use and enjoyment of the property pursuant to this section.”

SECTION 2. This act takes effect upon approval by the Governor. /

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Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The amendment was tabled.

Senator CASH proposed the following amendment (JUD0293.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within a school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school,

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has use and enjoyment of the property pursuant to this section.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

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POINT OF ORDER

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

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STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742 *VICE* George N. Martin III

On motion of Senator SHANE MARTIN, the question was confirmation of Mollie D. Taylor.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 0; Abstain 8

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Loftis	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McLeod
Nicholson	Peeler	Reese
Rice	Scott	Setzler
Shealy	Talley	Verdin
Williams		

Total--31

NAYS

Total--0

ABSTAIN

Allen	Davis	Malloy
McElveen	Sabb	Senn
Turner	Young	

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Total--8

The appointment of Mollie D. Taylor was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large :

Ben W. Satcher, Jr., 358 Catawba Court, Lexington, SC 29072-9500
VICE Richard A. Jones, Jr

On motion of Senator HEMBREE, the question was confirmation of Ben W. Satcher, Jr..

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

WEDNESDAY, APRIL 10, 2019

The appointment of Ben W. Satcher, Jr. was confirmed.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754
VICE Tim M. Hofferth

On motion of Senator HEMBREE, the question was confirmation of Robert Wesley Hayes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Robert Wesley Hayes was confirmed.

WEDNESDAY, APRIL 10, 2019

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence June 30, 2018, and to expire June 30, 2020

Independent College:

Mark A. Smith, Columbia International University, 7435 Monticello Rd., Columbia, SC 29203-1599 *VICE* Evans P. Whitaker

On motion of Senator HEMBREE, the question was confirmation of Mark A. Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Mark A. Smith was confirmed.

WEDNESDAY, APRIL 10, 2019

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large :

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409
VICE Kenneth W. Kinard

On motion of Senator HEMBREE, the question was confirmation of Charles E. Dalton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Charles E. Dalton was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

WEDNESDAY, APRIL 10, 2019

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2018, and to expire June 30, 2024

At-Large - General Public:

Amy L. McFadden, 164 Mohican Drive, Georgetown, SC 29440-5864
VICE James Bradford Thompson

On motion of Senator CAMPSSEN, the question was confirmation of Amy L. McFadden.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Amy L. McFadden was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

WEDNESDAY, APRIL 10, 2019

Initial Appointment, South Carolina State Athletic Commission, with
the term to commence June 30, 2018, and to expire June 30, 2022

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518 *VICE*
William Lee McCullough

On motion of Senator ALEXANDER, the question was confirmation
of Coleman Bates.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Coleman Bates was confirmed.

Having received a favorable report from the Medical Affairs
Committee, the following appointment was confirmed in open session:

WEDNESDAY, APRIL 10, 2019

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

7th Congressional District:

Alison Y. Evans, 612 West Home Ave., Hartsville, SC 29550

On motion of Senator VERDIN, the question was confirmation of Alison Y. Evans.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Alison Y. Evans was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Alex Albert Singleton, 1903 Clubhouse Road, Ravenel, SC 29470-9601 *VICE* David W. Gillespie

WEDNESDAY, APRIL 10, 2019

On motion of Senator VERDIN, the question was confirmation of Alex Albert Singleton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 4

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Total--0

ABSTAIN

Campsen	Davis	Senn
Setzler		

Total--4

The appointment of Alex Albert Singleton was confirmed.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

WEDNESDAY, APRIL 10, 2019

Initial Appointment, Richland County Magistrate, with the term to
commence April 30, 2019, and to expire April 30, 2023

Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:43 P.M., on motion of Senator MASSEY, the Senate adjourned
to meet tomorrow at 11:00 A.M.

* * *

WEDNESDAY, APRIL 10, 2019

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